

**DISPOSITION:** November 2, 1953. Default decree of condemnation. The court ordered that the product be delivered to a charitable institution for its use and not for sale.

## EGGS

**20728. Adulteration of frozen eggs. U. S. v. 764 Cans \* \* \*. (F. D. C. No. 33680. Sample No. 53020-L.)**

**LABEL FILED:** September 9, 1952, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about May 21 and 22, 1952, by the Continent Frozen Foods Corp., from National Stock Yards, Ill.

**PRODUCT:** 764 30-pound cans of frozen eggs at St. Louis, Mo.

**LABEL, IN PART:** "Independent's Frozen Egg Products Solids Quality Point Pointex."

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

**DISPOSITION:** December 18, 1952. The shipper, claimant, having consented to the entry of a decree, judgment was entered ordering that the product be released under bond for segregation of the unfit portion for industrial use, under the supervision of the Food and Drug Administration. 409 cans of the product were found unfit and were denatured.

**20729. Adulteration of frozen eggs. U. S. v. 25 Cans \* \* \*. (F. D. C. No. 35023. Sample No. 41006-L.)**

**LABEL FILED:** May 4, 1953, Eastern District of Washington.

**ALLEGED SHIPMENT:** On or about December 30, 1952, and February 26, 1953, by the Portland Egg & Poultry Co., from Portland, Oreg.

**PRODUCT:** 25 30-pound cans of frozen eggs at Spokane, Wash.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance by reason of the presence of decomposed eggs.

**DISPOSITION:** September 8, 1953. The Portland Egg & Poultry Co., claimant, having withdrawn its claim and answer, judgment of condemnation was entered and the court ordered that the product be destroyed.

## FEEDS AND GRAINS

**20730. Misbranding of alfalfa meal. U. S. v. Luxora Gin Co., Inc. Plea of nolo contendere. Fine, \$625. (F. D. C. No. 34827. Sample No. 164-L.)**

**INFORMATION FILED:** May 12, 1953, Eastern District of Arkansas, against the Luxora Gin Co., Inc., Luxora, Ark.

**ALLEGED SHIPMENT:** On or about September 22, 1952, from the State of Arkansas into the State of Kentucky.

**LABEL, IN PART:** (Tag on bag) "17% Dehydrated Alfalfa Meal 100 Lbs. Net Guaranteed Analysis Crude Protein, not less than---- 17.0% Luxora Gin Co. Luxora, Ark."

**NATURE OF CHARGE:** Misbranding, Section 403 (a), the label statement "Crude Protein, not less than---- 17.0%" was false and misleading since the article contained less than 17 percent of crude protein.

DISPOSITION: 1954. The defendant having entered a plea of nolo contendere, the court imposed a fine of \$625.

**20731. Adulteration and misbranding of swine mix. U. S. v. 2 Bags \* \* \*.**  
(F. D. C. No. 33628. Sample No. 16624-L.)

**LIBEL FILED:** On or about August 6, 1952, Western District of Missouri.

**ALLEGED SHIPMENT:** On or about April 11, 1952, from Pasadena, Calif.

**PRODUCT:** 2 50-pound bags of swine mix at Kansas City, Mo. Analysis showed that the product contained 50 percent of the declared amount of vitamin D.

**NATURE OF CHARGE:** Adulteration, Section 402 (b) (1), a valuable constituent, vitamin D, had been in whole or in part omitted or abstracted from the article.

Misbranding, Section 403 (a), the label statement "Contains Not Less Than: \* \* \* Vitamin D-2, USP Units 400,000" was false and misleading as applied to an article which contained less than that amount of vitamin D.

The article was adulterated and misbranded while held for sale after shipment in interstate commerce.

**DISPOSITION:** September 23, 1952. Ray Ewing Co., Inc., Pasadena, Calif., claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be brought into compliance with the law, under the supervision of the Food and Drug Administration, by reworking and remixing the product so as to add sufficient vitamin D<sub>2</sub> units to bring the vitamin D<sub>2</sub> content up to the specifications set forth on the labels.

**20732. Adulteration of dry rendered tankage (animal feed). U. S. v. 35,800 Pounds \* \* \*.**  
(F. D. C. No. 35485. Sample No. 64948-L.)

**LIBEL FILED:** September 15, 1953, District of Minnesota.

**ALLEGED SHIPMENT:** On or about August 24, 1953, by the Rome Rendering Works Co., from Rome, N. Y.

**PRODUCT:** 35,800 pounds of dry rendered tankage, an animal feed, at Minneapolis, Minn.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a decomposed substance and it was otherwise unfit for food by reason of the presence of decomposed bones, tissues, hide, stomach contents, composted packing house wastes, and manure.

**DISPOSITION:** October 28, 1953. Default decree of destruction.

## FISH AND SHELLFISH

**20733. Adulteration of fresh channel catfish. U. S. v. 2 Barrels \* \* \*.**  
(F. D. C. No. 35012. Sample Nos. 53597-L, 53598-L.)

**LIBEL FILED:** On or about April 29, 1953, Eastern District of Missouri.

**ALLEGED SHIPMENT:** On or about April 21 and 22, 1953, by the Osceola Fisheries, from Okeechobee, Fla., and by the Stokes Fish Co., from Leesburg, Fla.

**PRODUCT:** 2 barrels of fresh channel catfish at St. Louis, Mo.

**NATURE OF CHARGE:** Adulteration, Section 402 (a) (3), the article in both barrels consisted in whole or in part of a filthy substance by reason of its having been improperly eviscerated, leaving parts of the intestines, and by reason of its containing dirt and miscellaneous debris from filthy containers.